

HOUSE BILL 2073
By Herron

AN ACT to amend Tennessee Code Annotated, Section 40-35-501, relative to service of sentence for persons convicted of the offense of vehicular homicide.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection (j) and by relettering present subsection (j) and subsequent subsections accordingly:

(j)(1) There shall be no release eligibility for a person committing an offense on or after July 1, 1996, that is enumerated in subdivision (2) of this subsection. Such person shall serve one hundred percent (100%) of the sentence imposed by the court less sentence credits earned and retained. However, no sentence reduction credits authorized by § 41-21-236, or any other provision of law shall operate to reduce the sentence imposed by the court by more than fifteen percent (15%).

(2) The offense to which the provisions of subdivision (1) apply is:

(A) Vehicular homicide as defined in Tennessee Code Annotated, Section 39-13-213(a)(2), if the defendant has one (1) or more prior convictions in this or another state for any of the following offenses and the offense resulting in such prior conviction occurred within five (5) years of the instant offense:

- (i) Driving under the influence of an intoxicant;
- (ii) Vehicular assault as the result of intoxication; or

(iii) Vehicular homicide as the result of intoxication.

SECTION 2. This act shall take effect on July 1, 1996, the public welfare requiring it.

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